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MEMORANDUM

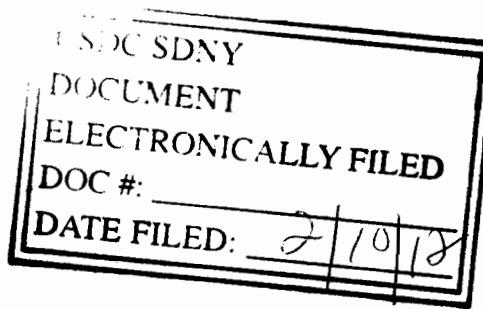
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February 10, 2012

**VIA FACSIMILE (212) 805-4268**

Judge Gabriel W. Gorenstein  
 United States Magistrate Judge  
 United States District Court  
 Southern District of New York  
 500 Pearl Street  
 New York, NY 10007



**Re: Lockheed Martin Corp. (Lockheed Martin") v. MTA Capital Constr. Co. and Metropolitan Transp. Auth. ("MTA") 09 Civ. 04077 (PGG) (GWG)  
 Travelers Cas. and Sur. Co. of America et al. (the "Sureties") v.  
 Metropolitan Transp. Auth. et al., 09-CV-6033 (PGG) (GWG)  
 Our File No.: Y3572/00002**

Dear Judge Gorenstein:

Our firm represents Plaintiff Lockheed Martin Corporation in the above referenced litigation. On February 2, 2012, the parties agreed to a briefing schedule for the dispute between Lockheed Martin and the Defendants concerning Defendants' Rule 30 (b)(6) Notice. The parties have conferred and request that the schedule be modified to provide for Lockheed Martin to deliver its response on Tuesday, February 14, 2012 instead of February 10, 2012 and for Defendants to deliver their reply on Wednesday, February 22, 2012 instead of Wednesday, February 15, 2012. This is the first request to modify the briefing schedule and is made necessary by my being away from the office for most of this week for medical reasons.

Thank you for continued courtesy and assistance in this matter.

Respectfully submitted,

*Michael Chartan* *asst.*

Michael Chartan

*GABRIEL W. GORENSTEIN*  
 UNITED STATES MAGISTRATE JUDGE

MC:ro

cc: Ira J. Lipton, Esq. (via e-mail)  
 Adam P. Friedman, Esq. (via e-mail)

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